

**Office of the State Public Defender
Administrative Policies**

EXHIBIT 15

Subject: Closing Cases	Policy No.: xxx
Title	Pages: 1
Section:	Last Review Date:
Effective Date: x/xx/07	Revision Date:

1.0 POLICY

The Office of the State Public Defender has established the following procedures for closing cases.

2.0 PROCEDURES

2.1 CRIMINAL CASES

Criminal cases, whether felony or misdemeanor, shall be closed:

2.1.1 After dismissal;

2.1.2 After receipt of the official judgment and the time for filing an appeal has expired without an appeal being filed, or;

2.1.3 After the time to file for Sentence Review has expired and notice of Sentence Review has not been filed.

2.2 YOUTH COURT CASES

Youth court cases shall be closed:

2.2.1 After dismissal; or

2.2.2 Upon receipt of the Order of Adjudication and the time for appeal has expired without an appeal being filed.

2.3 DEPENDENT/NEGLECT CASES

Dependent/neglect cases shall be closed:

2.3.1 After dismissal;

2.3.2 After the relinquishment of parental rights by the client;

2.3.3 After receipt of an Order Terminating Rights and the time for appeal has expired without an appeal being filed.

2.4 APPEALS OF ALL CASES

All appeal cases shall be closed after a decision by the Montana Supreme Court and the time for a motion to reconsider has expired without the filing of said motion. If a motion for reconsideration is filed, the case shall be closed upon final decision pursuant to the motion.

2.5 SENTENCE REVIEW

Sentence review cases shall be closed after the decision of the Sentence Review Board has been issued and received.

3.0 CLOSING

Questions about this policy should be directed to the State Office at the following address:

Office of the State Public Defender, Administrative Service Division
44 West Park
Butte, MT 59701
Phone: 406-496-6080